

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT**

In Re:

HERMITAGE INN REAL ESTATE
HOLDING COMPANY, LLC, et al.

Debtors.

Chapter 7

Case No. 19-10214-cab
(Jointly Administered)

**STATEMENT OF SUBURBAN PROPANE LP
IN RESPONSE TO SALE MOTIONS**

Suburban Propane, L.P. (“Suburban”), by and through its undersigned counsel, hereby submits the within statement in response to Trustee’s sale motions, and in support thereof, respectfully avers as follows:

1. Prior to the petition date, the Debtors and Suburban were parties to one or more commercial propane gas sale agreements (the “Agreements”), pursuant to which the Debtors agreed to purchase from Suburban, and Suburban agreed to sell to the Debtors, propane gas on the terms and conditions more fully set forth in the agreements.

2. As of the petition date, the Debtors remained indebted to Suburban in the amount of \$83,545.85 (the “Prepetition Claim”) for propane gas sold and delivered to the Debtors, as more fully evidenced by the Proof of Claim filed in this matter [Claim No. 47-1], a true and correct copy of which is attached hereto as Exhibit “A.”

3. Pursuant to the Agreements, Suburban installed tanks and related equipment (the “Tanks”) at the Debtors’ properties, which, upon information and belief remain at the properties. The location of the Tanks is noted on Page 4 of the Proof of Claim. Ownership of the Tanks belongs to Suburban. Suburban has been servicing the Tanks and delivering propane during the bankruptcy.

4. The Trustee has filed motions to sell various assets of the Debtors. Suburban files this Statement simply to advise all interested parties that the Tanks are not owned by the Debtors. To Suburban's knowledge, the Trustee is not seeking to sell the Tanks in connection with the sale motions.

5. The successful buyer can either choose to continue service with Suburban under new agreements with Suburban and subject to Suburban's normal and customary credit approval, or Suburban will remove the Tanks.

Dated at South Royalton, Vermont, this 2nd day of February, 2020.

SUBURBAN PROPANE, L.P.

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